

THE HON'BLE Mr. JUSTICE GODA RAGHURAM

THURSDAY, THE 23rd DAY OF FEBRUARY, 2006

W.P.No. 3448 of 2006

Between:-

B. Prabhakar

--Petitioner

And

The Commissioner of Prohibition & Excise, Hyderabad and two others.

--Respondents

THE HON'BLE MR. JUSTICE GODA RAGHURAM

W.P.No. 3448 of 2006

Oral order:-

On an allegation of transportation of 30 liters of illicitly distilled liquor purchased for sale, the petitioner's vehicle – Hero Honda bearing No. AP 1-E-5905 – was seized on 26-01-2005. The vehicle has been released in favour of the petitioner's custody on furnishing a security of Rs.3,800-00. The petitioner failed to respond to the show cause notice sent in the inquiry and thereupon on the basis of the material available, the 2nd respondent passed orders on 09-06-2005 directing destruction of 30 liters of ID liquor and confiscation of the vehicle. Against the order of confiscation, the petitioner states to have preferred an appeal to the 1st respondent in November 2005. The grievance of the petitioner is that the 1st respondent has not yet disposed of the appeal.

Heard the learned counsel for the petitioner and the learned Government Pleader for Prohibition & Excise.

The writ petition is disposed of directing the 1st respondent to consider and expeditiously dispose of the appeal, if any, preferred by the petitioner against the order of confiscation dated 09-06-2005 passed by the 2nd respondent, and in any event within a period of two months from the date of receipt of a copy of this order. No costs.

GODA RAGHURAM, J

Date: 23-02-2006

Pvks/*